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# *Integrating Nature into American Democracy: The Creeping People, and the Standing People*

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We tend to approach the issue of integration in purely human terms. Whether we name it nationalism, racism or sexism, we do not think that the limits of exclusion may apply beyond the human sphere. Nature is ignored. Yet, with the emergence of ecology as a science in the nineteenth century, and the environmental revolution of the 1960s, we are witnessing a potentially dramatic change in our dominant representation of the world, and the place of man and nature in it. The slow realization that we all depend on the complex ecosystems of our planet for survival has exposed our responsibility not only to our own species, but also to nature and the other species. Environmental ethics now demand that we include not only the rights of animals and plants into the sphere of our jurisdiction, but those of rivers, forests, rocks and ecosystems. Will rocks have a legal standing?

The question seems odd, to say the least, in a society that still claims human rights to be its foundation, and the pursuit of material happiness its obsession. But if we consider the Native American worldview, we find a remarkably seductive picture which puts man not right at the centre of the universe, but

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rather on the circle of relationships that binds all forms of life. Western societies take it for granted that man should be in the middle of the circle for historical, religious, cultural and philosophical reasons that we consider unquestionable, thoroughly acceptable and scientifically sound. But we simply ignore that other cultures, other religions, other societies do not necessarily put man in the center of the circle. Such ignorance is also a form of exclusion.

Our goal here is to describe how the issue of the integration of nature into the realm of human jurisdiction has been faring in the political and environmental arena in the United States over the last two decades, and perhaps offer some partial explanations about why. I will focus on the extension of ethics to include the natural world. I am also concerned with the significance and implications of the emergence of a biocentric worldview.

Because of the dualism between nature and the world of man that has always prevailed in the western thought, especially since Descartes, nature, animals and plants do not appear as partners or even enemies or at least entities worthy of consideration and integration into the world of human affairs, but rather as the subjects of human domination and exploitation. In America, this view has obviously prevailed during the early years of settlements and Frontier times, and still does. Yet, in the nineteenth century, new ideas appeared. Henry David Thoreau considered the critters of Walden his neighbors, thus integrating animals into his human world. John Muir (1838-1914), a friend of Emerson's, already made preservation — the absolute respect of nature and the wilderness — his main concern. In the twentieth century, Aldo Leopold (1887-1948) spent his life investigating the meaning and value of the wilderness, and gradually moved from an anthropocentric notion of conservation of nature for the sole benefit of man, to a radically biocentric land ethic in the light of the new science of ecology. "Aldo Leopold did the most to call the attention to the possibility of extending ethics beyond person-to-person relations. As early as 1933 Leopold set forth the essentials of an ethical system that embraced nature as well as people [which] he called 'the land ethic.'"<sup>2</sup> Bill Devall and George Sessions took it up, developed and publicized similar views after 1972 and called their approach deep ecology, meaning a radical form of ecologism which has made biocentric values the

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<sup>2</sup>. Roderick Nash, "Rounding Out the American Revolution: Ethical Extension and the New Environmentalism" in *Deep Ecology*, ed. Michael Tobias (San Marcos, California: Avant-Books, 1988), p. 172.

bedrock of its thought.<sup>3</sup> From the Constitution to deep ecology, the overall shift has been from strictly anthropocentric views to a biocentric approach.

Because of the emergence of such biocentric views, reinforced by the development of ecology as a science during the same period (1890-1990), the time has come for an ethical re-examination of how Americans relate to nature. If value is granted to nature in general, and the wilderness in particular, the implication is that man has responsibilities towards nature. In order to shape these responsibilities into clearly defined duties, the question of nature's rights have first to be clarified. Once defined and established, nature's rights can be made into law, and enforced. This process has actually taken place in the United States, especially with the passage of the Endangered Species Act of 1973. Enforcing such legislation has reached unprecedented heights in recent years and is still raging, especially in the Pacific Northwest, where the protection of the spotted owl may lead to the loss of thousands of jobs. As a matter of fact, the implications of such an extension of rights to animals and plants, if not whole ecosystems, are not fully assessed until the economic losses that follow make them plain. Private citizens then suddenly realize that the integration of animal or plant species, not to mention whole ecosystems into the jurisdiction of humans, definitely jeopardizes the most sacred rights of American citizens, such as private property and freedom. Private landowners are required to follow the regulations derived from the Endangered Species Act of 1973. Huge projects such as the Tellico Dam (in the late 1970s) were jeopardized and nearly cancelled because they destroyed, or could have altered, the habitat of endangered species.

The question of nature's and man's rights and the conflicts that follow is thus central in our discussion on the integration of nature within the human community. Obviously, nature's rights differ from man's. Nature's rights, for the time being, amount to the right to existence and survival of animal and plant species. The survival and preservation of huge ecosystems is more difficult to secure. As for man's basic rights such as "life, liberty and the pursuit of happiness," they easily conflict with nature's. Freedom also means freedom of enterprise, to take the most obviously critical example of conflicts of rights between man and nature. The survival of the Arctic caribou is an impediment to, or else restrains, the free exploitation of oil in Alaska. More important is the fact that only man determines and respects rights. Man, as the only moral agent, is the measure of all rights.

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<sup>3</sup>. See Bill Devall, George Sessions, *Deep Ecology: Living As If Nature Mattered* (Layton, Utah: Gibbs Smith, Peregrine Smith Books, 1985), pp. 63-77.

We can say, at the risk of oversimplification, that some rights — especially the right of animal and plant species to existence — have been granted to nature by law already, that the integration of nature into the American democracy has begun. Such rights obviously come in conflict with human rights. The full meaning of this clash between two sets of values, biocentric values versus traditional American values such as those which make the American Dream of individual material success possible, has never been clarified, nor has it been widely publicized and discussed. For now, the only way out is litigation. But the fact remains that the first steps to integrate nature into the world of men have already been taken in the United States. Biocentric values have infiltrated the man-centered world of Americanism. “Some believe it holds the potential for fundamental and far-reaching change in both thought and behavior comparable to that which the ideal of human rights and justice held at the time of the democratic revolutions in the seventeenth and eighteenth centuries.”<sup>4</sup> Similarly, Luc Ferry maintains that deep ecology, as the only significant new ideology available currently, is gaining more and more ground.<sup>5</sup>



### **The founding Fathers simply ignored nature**

The Declaration of Independence by the thirteen British colonies of America sounded as the clarion call of liberation all over the western world. The democratic utopia was to function in America, a continent which, in the wake of the Puritan experiment, once again proved to be the laboratory of freedom. “We hold these truths to be self-evident, that all men are created equal...” In their revolutionary reappraisal of values, the Founding Fathers turned to humanism to establish their republic. They defined what can be regarded as a written social contract, a notion that Jean Jacques Rousseau had made popular at the time. The irony and the paradox were that, in an age that turned to nature for its model — “the Laws of Nature” are referred to in the first paragraph of the Declaration of Independence —, the colonists did not integrate nature into their petition of principles. The Constitution, especially the Bill of Rights, firmly established the

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<sup>4</sup>. Roderick F. Nash, *The Rights of Nature: A History of Environmental Ethics* (Madison, Wisconsin: The University of Wisconsin Press, 1989), p. 4.

<sup>5</sup>. See Luc Ferry, *Le nouvel ordre écologique : L'arbre, l'animal et l'homme* (Paris: Grasset, 1992), pp. 135-36.

foundations of the new nation on humanistic values. Man and his rights were once again the measure of all things. Nature was ignored. Michel Serres comments on this eviction of nature from human affairs:

The philosophers of natural rights sometimes trace back our origin to a social contract that we supposedly, at least implicitly, drew between us to enter the community that made us the men that we are now. This contract, which strangely enough does not say a word about the natural world, caused us to leave the state of nature to found society, so they say. Having signed the compact, it seems as if the group who signed it, trying to transcend the natural world, could grow its roots only in History.

This looks like the local and historical description of the shift from the country to the cities. Clearly speaking, it means that from that point, we have forgotten nature, now so distant from us, speechless, lifeless, remote, so far away from cities and groups, from our words and publicity. This latter term is to be understood as meaning the essence that now constitutes humanity.<sup>6</sup>

This view may not fully apply to the American scene where the omnipresence of the wilderness had of necessity to be taken into account. The process of re-integrating nature into the American nation must be discussed now.



### **Integrating animal and plant life-forms into the human community appears as the farthest limit of American liberalism...**

It has almost become a cliché to state that at the time when the Constitution was ratified, “men” did not include women, nor did it include Indians, slaves, immigrants... Roderick Nash has developed an interesting argument in *The Rights of Nature* (1989). He argues that the political history of the United States can be interpreted as the extension of those rights guaranteed by the American Constitution to larger and larger sections of the American population. The American Revolution extended natural rights to American colonists in 1776, with the Declaration of Independence. Then American slaves were granted freedom by the Emancipation Proclamation of 1863. Women were given equal status in 1920 thanks to the Nineteenth Amendment. Native Americans were recognized as citizens by the Indian Citizenship Act of 1924. Laborers had their rights recognized in 1938 (Fair Labor Standards Act). The Civil Rights Act of 1968 put an end to legal segregation. The process is going on. One may wonder whether

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<sup>6</sup> Michel Serres, *Le Contrat naturel* (Paris: Flammarion, 1992), p. 62. My translation.

the Founding Fathers ever thought of Hispanics, gays, lesbians, fetuses, obese people, the disabled, the ugly. The current trend seems to be heading for "litigiousness run wild."<sup>7</sup>

But the process did not stop with humans. It has now reached some animal and plant species and possibly some ecosystems, thanks to the Endangered Species Act of 1973, which can be seen as the latest development of the extension of natural rights to animals. Nash actually argues that the recognition that nature has rights also belongs to the long tradition of American liberalism. "One can regard environmental ethics as marking out the farthest limits of American liberalism."<sup>8</sup> This idea is not new, and Roderick Nash rightfully mentions W J McGee's works.<sup>9</sup> Roderick Nash's interpretation follows and develops McGee's, in that the development of environmental ethics is "a rounding out of the American Revolution."<sup>10</sup> The clear, continuing expansion of rights from human beings to animals and possibly to ecosystems, Roderick Nash also argues, can be seen as "the implementation of liberal values as old as the republic."<sup>11</sup> The partial integration of nature into the sphere of the American Constitution cannot be seen as a subversive, radical defilement of American values, as more and more critics maintain, but as a basically American attitude. Environmentalists themselves are not aware that when they want nature to be protected from the encroachments of the American industrial society, they only follow the logic of the old American idealism that existed prior to the Industrial Revolution:

Much of the new environmentalists' criticism of American traditions is warranted, but in adopting a subversive, countercultural stance, they overlooked one important intellectual foundation for protecting nature that is quintessentially American: natural-rights philosophy, the old American ideal of liberty that they themselves were applying to nature.<sup>12</sup>

To Nash, environmental ethics is not subversive, but patriotic. The word "freedom" has a special appeal to Americans, and, Nash argues, "oppressed and exploited minorities have always found a soft spot in the American heart." So that

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7. As quoted in Margaret Carlson, "And Now, Obesity Rights," *TIME Magazine*, n° 49 (December 6, 1993), p. 56.

8. Roderick Nash, *ibid.*, p. 4.

9. W J McGee avoided both full names and periods. See Roderick Nash, "Rounding Out the American Revolution," p. 171.

10. Roderick Nash, *ibid.*, p. 176.

11. Roderick Nash, *The Rights of Nature*, p. 12.

12. Roderick Nash, *ibid.*, p. 11.

when it “became associated not just with social groups but with nature, the new environmentalism resulted.”<sup>13</sup> In other words, Nash claims, contemporary environmentalism in America has emerged thanks to the development of environmental ethics which follows the natural expansion of natural rights in the American tradition. The most significant stage in the development of American liberalism in recent years, Roderick Nash claims, took place in the sixties.

For the 1960s the compelling idea was that not just people but nature itself has rights which must be respected. . . . For the first time meaningful numbers of Americans could at least think of non-human life forms and even of the non-living environment (rocks, rivers, mountains) as defensible on ethical and not just on economic (anthropocentric) grounds. From this perspective the 1960s witnessed the most ambitious attempt yet to, as McGee phrased it, “round the American Revolution.”<sup>14</sup>

Interestingly, the idea of an amendment to the Constitution — the Environmental Amendment — has been put forward by Lynton K. Caldwell, the man who drafted NEPA, and the National Wildlife Federation, a most influential conservation organization, has been considering the project.<sup>15</sup>

In the wake of the rising environmental awareness of the 1970s, interesting examples of new, biocentric approaches in terms of rights and litigation took place. In 1974 for example, Christopher Stone, a lawyer, published “Should Trees Have Standing?: Toward Legal Rights for Natural Objects.” This essay was to influence the minority opinion of Justice William O. Douglas of the Supreme Court as the latter acted on the Mineral King case. Walt Disney Enterprises had planned to set up a ski resort in the Mineral King Valley, near Sequoia National Park. The Sierra Club, one of the leading environmental organizations in America, had opposed the project. The case was to be reviewed by the Supreme Court. Although the Sierra Club lost its appeal, ultimately, the cost of long delays discouraged Walt Disney Enterprises, and in 1978 Congress added the controversial valley to Sequoia National Park.<sup>16</sup> If the majority of the Court rejected the Sierra Club's appeal for standing in the Mineral King issue on the traditional grounds that it had suffered no economic injury, Justice Douglas had read and

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<sup>13</sup>. Roderick Nash, “Rounding Out the American Revolution,” p. 176.

<sup>14</sup>. Roderick Nash, *ibid.*, p. 171.

<sup>15</sup>. Lynton K. Caldwell, “Twenty Years with NEPA,” *Environment*, December 89, p. 26. By the end of 1969, the National Environmental Policy Act (NEPA) established the President's Council on Environmental Quality (CEQ). It also prepared the creation of the Environmental Protection Agency (EPA) in 1970.

<sup>16</sup>. Roderick F. Nash, *The Rights of Nature*, p. 131.



been persuaded by Stone's argument and even cited "Should Trees Have Standing?" on the first page of his dissenting opinion. In view of his acceptance of the ecological perspective and the intrinsic rights of the environment, it is not surprising that Douglas concluded his minority opinion with a reference to Leopold's belief that a "land ethic," which enlarged the boundaries of the moral community, would logically expand the application of justice.

In Hawaii, a bird, the palila, sued for protection of its only habitat. The Audubon Society, another leading environmental organization in the United States, represented the bird, but the case was recorded as *Palila vs. Hawaii*. The bird won.<sup>17</sup>

In such a context, it seemed only normal that natural rights should be extended to "all people. The tree people, rock people, deer people, grass-hopper people and beyond."<sup>18</sup> In uttering such an opinion, Mike Roselle, one of the cofounders of Earth First!, the most radical of all Deep ecology groups, obviously referred to the Native American view of the earth that integrated all living things into a community of living peoples. He must also have alluded to the Black people just as well, who had their rights recognized after the activism of the civil rights movement.

As a matter of fact, many parallels can be drawn between the civil rights movement and radical environmentalism. Some radical environmentalists, social ecologists in particular, actually maintain that radical environmentalism belongs to the civil rights movement.<sup>19</sup> Both movements belong to the tradition of American liberalism as defined by Nash, that is to say the tradition of including oppressed minorities within American society. For one thing, and this obviously is the most important point, they both agitate for such integration through legal protection of the oppressed, be they ethnic minorities or endangered species. Radical environmentalism was also deeply influenced by the tactics used by the civil rights movement. Civil disobedience was resorted to as a means to call

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17. See Roderick Nash, "Rounding Out the American Revolution," p. 178.

18. Mike Roselle, quoted in Christopher Manes, *Green Rage* (Boston: Little, Brown & Company, 1990), p. 166.

19. Social ecology was founded in the sixties by Murray Bookchin, who describes himself as an "eco-anarchist." He is averse to centralized governance and prefers communal cooperation to competition. Social ecology supports radically decentralized and nonhierarchical social formations. It is hostile to capitalism. In a capitalist society, nature is necessarily treated as a mere resource to be plundered and exploited. The solution is a classless, stateless, decentralized society. Social ecologists seek a spontaneous nonhierarchical transformation of society from the bottom up.

public attention and raise environmental awareness. Just as civil rights movement activists had used civil disobedience and committed themselves to non-violence, environmental protesters committed themselves to the following principles:

- 1- Our attitude is one of openness, friendliness, and respect toward all being we encounter.
- 2- We will use no violence, verbal or physical, toward any being.
- 3- We will not damage any property and will discourage others from doing so.
- 4- We will not run.
- 5- We will carry no weapons.<sup>20</sup>

Obviously inspired by the sit-ins of the civil rights movement, tree-sittings were another form of protest mostly used by radical environmentalists to try to save California's red-woods.<sup>21</sup> Protesters sat high on a tree, and hoped the loggers below would not risk harming them by felling the tree. Protests could even go as far as becoming an OMDB issue: over my dead body.<sup>22</sup> The problem is that civil disobedience worked for the civil rights movement because huge numbers of people were involved, and that the political establishment was ready to listen to their grievances. But radical environmentalism has never claimed to be a mass movement, so that harassing the timber industry may have called attention and delayed or canceled the cutting of some trees and forests, and little more.



### **No integration without representation**

One obvious reason that may be put forward to account for the success of the cause of integration of Black people into American society as opposed to the integration of “oppressed” animal and plant minorities is that no average citizen can reasonably be expected to identify with trees or owls, while ethnic minorities belong to the American people. What is meant by integration of nature within the jurisdiction of man has amounted so far to the discussion of nature’s rights and to the implementation of the right to existence of some plant and animal species. Some citizens do identify with trees, but “tree-huggers” are considered gentle maniacs. Actual integration into human society implies the recognition not only of

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<sup>20</sup>. Christopher Manes, *ibid.*, p. 169.

<sup>21</sup>. *Ibid.*, p. 102.

<sup>22</sup>. *Ibid.*, p. 81.

the rights of those to be integrated, but also the recognition of some kinship that can entitle them to become full members of the same human community. The gap between human and non-human is too wide for the average citizen to envisage such a form of kinship.

The first step to bypass reluctance on the part of most citizens to admit animals and plants, not to mention ecosystems, into the body politic as equal members is to discuss and define their rights, and then to have their rights recognized and enforced by law. This, by the way, was the process that led to the full integration of slaves, women, workers and Indians into the American society. Several acts passed by the American Congress aimed at the protection of wildlife, wild areas and animal species. The Endangered Species Act of 1973 is of particular interest to study the shift from anthropocentric values to biocentrism, from human protection to integration within the human realm of jurisdiction, and will be discussed later.

Perhaps we should distinguish here between shallow integration and deep integration, just as environmentalists distinguish between shallow and deep ecology.<sup>23</sup> Shallow integration would concern the mere recognition of the right of animals and plants and perhaps ecosystems to exist. Deep integration would mean the recognition of biocentric values to make the integration of animal and plant species, if not the whole global ecosystem, into the larger human group, possible. But here, the implications are unacceptable within the framework of traditional humanism that underpins the American society and most others. In the first place, biocentrism leads to bio-egalitarianism. It leads to consider that a man's life is not more important than the life of any other living being. More generally, it must be considered that if man may grant natural objects some rights, natural objects are not moral agents and therefore cannot reciprocate and act as members of a human society. It would be more logical to say that deep integration should mean integration of man into nature. This is another, huge debate that has not really been approached in the United States at any significant public level.

Roderick Nash's view that contemporary environmental ethics is but the continuation of the American Revolution obviously aims at deep integration. He argues that the extension of rights recognized and guaranteed by the American

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<sup>23</sup> Mainstream environmentalism, in America and elsewhere, is deemed "shallow" by Arne Naess, a Norwegian philosopher who coined the phrase "deep ecology" in 1972. Mainstream environmentalism or reform environmentalism is deemed shallow because it deals with specific, isolated environmental concerns like air pollution or wildlife protection. Deep ecology aims at radically changing the prevailing economic order that is at the root of environmental deterioration by promoting a new order based on biocentric values.

constitution leads to the full recognition of animals, plants and ecosystems as full members of the American nation. Others went even further. "The Marine Mammal Protection Act [and] the Endangered Species Act [embody] the legal idea that a listed nonhuman resident of the United States is guaranteed, in a special sense, life and liberty."<sup>24</sup> Calling protected animals and plants residents is granting them a social status "in a special sense." But once again, such an attempt at integration and the biocentric values that uphold it, run against the humanistic values of the American society.

Even though rights are granted to nonhuman species, it remains that full equality and participation to the life of the nation does not follow. Full equality would imply representation in the parliaments of humans. But animals, plants and rivers are not social beings, they are not endowed with conscience and language, to mention but two disqualifying limitations. If man grants them rights, which duties can be expected in return? One way out would be for them to have human representatives to act on their behalf. This idea is so uncouth that only a poet can introduce it. Gary Snyder, Pulitzer Prize-winning poet and deep ecologist, discussed the problem of nonhuman species representation in his *Turtle Island*.

I was climbing Glacier Peak in the Cascades of Washington several years ago, on one of the clearest days I had ever seen. When we reached the summit of Glacier Peak we could see almost to the Selkirks in Canada. . . . My companion, who is a poet, said: "You mean, there is a senator for all this?"

Unfortunately, there isn't a senator for all that. And I would like to think of a new definition of humanism and a new definition of democracy that would include the nonhuman, that would have representation from those spheres. This is what I think we mean by an ecological conscience.<sup>25</sup>

With the brisk insight of poets, Snyder covers the whole issue of integration of nature into the human political arena within a few lines. Integration of nature and its inhabitants implies representation in the parliaments of humans, and if such were the case, the whole meaning of society and the place of man in the world would have to be re-examined by Americans. In other words, a new definition of democracy and humanism would be required, if not a new humanism. This of course means that Snyder adheres to the deep ecology view that the foundations of our society must be revised. The way to make this acceptable is by raising public ecological conscience, a notion explored and publicized by Aldo Leopold.

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<sup>24</sup> Joseph Petulla, as quoted in Nash, *The Rights of Nature*, p. 161.

<sup>25</sup> Gary Snyder, "Respect for Nature," in *American Environmentalism, Readings in Conservation History*, ed. Roderick Frazier Nash (New York: McGraw-Hill Publishing Company, 1990), pp. 233-35.

The question of representation of non-human members in the councils of humans is an intricate point. No one can seriously imagine representatives for grizzly bears! The question is nevertheless approached by Snyder:

What we must find a way to do then, is incorporate the other people — what the Sioux Indians called the creeping people, and the standing people, and the flying people, and the swimming people — into the council of government. This isn't as difficult as you might think.

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And when, in the dances of the Pueblo Indians and other peoples, certain individuals became seized, as it were, by the spirit of the deer, and danced as a deer would dance, or danced the dance of the corn maidens, or impersonated the squash blossom, they were no longer speaking for humanity, they were taking it on themselves to interpret, through their humanity, what these other life-forms were. This is about all we know so far concerning the possibilities of incorporating spokespersonship for the rest of life in our democratic society.<sup>26</sup>

This of course is a poet's view. Poetry is a pretext. It is an artful way for Snyder to make his fellow Americans at least envisage the possibility of incorporating nature and the creatures of nature into the American democratic process. The full meaning of the suggestion, if it is to be taken seriously, has still to be clarified. In the first place, the magic of the process of identification for example, through ritual identification of the dancers with those whom (?) which (?) the dance is dedicated to, leaves the door open for a return of the irrational. Second, the loss of identity by humans in the process of identification with other life forms can be morally objectionable on the grounds that the human person remains the basis of all ethics. Unless, of course, the integration of nature into the human sphere demands the shift from humanistic values to biocentric ones, thus lessening or erasing the value of the human person. If that is the case, why should man be required to play a special role as moral agent by taking into account nature's rights or claims? Such a role definitely puts him above the rest of creation, so that man cannot at the same time remain a mere species, an ordinary member of the living community and be required to be the moral agent or custodian of nature's rights.

One is inclined to think that deep ecology principles cannot have any hold on the American public when one examines their implications. Yet the ambivalent attitude of America to its wilderness, a place to be dominated and plundered for national resources in the name of civilization, but also a place of wonder and awe, of national pride and aesthetic value, has paved the road to the integration of

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<sup>26</sup>. Gary Snyder, *ibid.*, pp. 235-36.

nature into the American nation because biocentric considerations have been included into the law-making process aiming at the protection of the wild.



**In order to protect the wilderness, Americans have unwittingly begun integrating biocentric values into federal legislation.**

What has always been a very American attitude is the national pride in places of natural wonder and beauty that make America so widely different from Europe and the rest of the world. The most famous of these places have been transformed into national parks which have become temples of patriotic worship and attract the millions just as Capitol Hill does. Yellowstone and Yosemite National Parks may be just as good emblems of America as the Statue of Liberty. There certainly is a national consensus on the value and significance of these national parks. They are the places of patriotism, the temples that keep the image of America as it used to be when it was founded, where the American wilderness is kept wild and untouched to perpetuate a sense of wonder and awe. The wilderness is thus an American value, preserving the wilderness a patriotic duty. There is a national consensus about leaving nature unimpaired in the national parks and some wilderness designated areas. In the case of national parks at least, preservation agrees well with patriotism.

Environmentalists also try to preserve the wilderness, by using all sorts of means. They used the technicalities of the Endangered Species Act of 1973. The public hearings prior to the passage of the act of made it plain that its proponents put forward anthropocentric *and* biocentric values. It would be wrong to consider here that deep ecology influenced those who were heard during the hearings. Deep ecology was still inchoate at the time. Most of those who testified considered that it would be wrong not to protect wild life from a purely anthropocentric standpoint. A plant on the verge of extinction might prove to be the source of a potent drug in the future, or a source of nutrition. Senator Alan Cranston of California, who articulated some of the finest opinions during the hearings, said that "survival of man himself may ultimately depend on the survival of a diversity of flora and fauna."<sup>27</sup> To which he added man's ethical and moral responsibility to the wilderness. Aldo Leopold's influence could be felt in arguments pointing at the integrity of the global ecosystem. Biocentric values had

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<sup>27</sup>. Senator Alan Cranston, as quoted in Nash, *The Rights of Nature*, p. 175.

infiltrated the spirit of the law. But strictly speaking, Congress justified its actions on anthropocentric grounds, in the interest of the American people.

From a more technical point of view, what must be underscored here is the fact that the Endangered Species Act of 1973 introduced the notion of "critical habitat." In order to save a species from extinction, it was necessary to protect its habitat, which amounted to acknowledging the validity of ecological principles. This is an essential point. Environmentalists would later use this measure in their strategy to protect huge areas of wilderness. Another essential point was that the act compelled private landholders to consider the right of endangered species to exist. The conflict between traditional and biocentric values became unavoidable. In the case of the spotted owl in the Pacific Northwest, environmental groups spent years to have the bird put on the list of threatened species of the U.S. Fish and Wildlife Service. As long as the owl was protected, it was necessary to secure wide tracts of ancient forests which are the only habitat of the species. The protection of ancient forests was the primary goal of environmental organizations in fact. The economic and political effects are still being felt in the region.

The meaning of this is twofold. In the first place, the rights of a species to survive are recognized by law, even if such rights encroach on human interests. The protection of the spotted owl has already disorganized if not ruined entire logger communities in the Northwest. Many other factors such as automation and economic recession must also be taken into consideration. It remains that preference was given to the bird over economic considerations. Biocentric values prevailed over humanistic values.

Second, the protection of the owl was largely a pretext to promote the protection of ancient forests, mostly on wilderness areas. In other words, for the sake of the protection of the wilderness, environmentalists resorted to the Endangered Species Act of 1973, and the biocentric values it contains. Nature's rights have been acknowledged.

The irony here is that in order to protect the wilderness as the place of the American past, a whole set of regulations has been implemented which actually are the foundations of a biocentric view of the world. The fact that the gap between biocentric values and traditional values like private property, enterprise, initiative, the right to make profits, cannot be bridged has inevitably led to litigation. In many cases, nature's rights prevailed over human rights, a sign that biocentric views are rapidly gaining grounds. Litigation is, for the time being, the only way to settle disputes since the law remains ambivalent.

What the American public has not fully faced up to is that the two sets of values, biocentrism and American traditional values — freedom, individualism, enterprise, to mention but a few — are on colliding courses. Somehow the issue will have to be clarified. The current talks about option 9 are an example of the urgency of this clarification.<sup>28</sup> The administration's approach as usual is an attempt at compromise. But no compromise is possible in some matters. You cannot cut a tree into two halves, one for the loggers, one for the spotted owl. Whether some kind of compromise will be reached is not sure at all. If it is not, whether the loggers' right to exploit natural resources and destroy ecosystems prevails, or whether radical environmentalists and the preservation of the ancient forests gain victory, the outcome will be an interesting sign of the integration, or exclusion, of biocentric values into, or from, the American value systems.



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<sup>28</sup>. Out of a dozen projects to strike a compromise between the forest industry's interests and the environmentalists' claims in the Pacific Northwest, one, option 9, is currently being examined by the Clinton administration.